

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

IN RE: Bobby Joe McDanials Jr Shronda Rhesha Thrower-McDanials DEBTORS	§ § § § §	CASE NO. 25-30113-H3 -13 CHAPTER 13
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MOTION TO EXTEND AUTOMATIC STAY

THIS MOTION SEEKS AN ORDER THAT MAY ADVERSELY AFFECT YOU. IF YOU OPPOSE THE MOTION, YOU SHOULD IMMEDIATELY CONTACT THE MOVING PARTY TO RESOLVE THE DISPUTE. IF YOU AND THE MOVING PARTY CANNOT AGREE, YOU MUST FILE A RESPONSE AND SEND A COPY TO THE MOVING PARTY. YOU MUST FILE AND SERVE YOUR RESPONSE WITHIN 21 DAYS OF THE DATE THIS MOTION WAS SERVED ON YOU. YOUR RESPONSE MUST STATE WHY THE MOTION SHOULD NOT BE GRANTED. IF YOU DO NOT FILE A TIMELY RESPONSE, THE RELIEF MAY BE GRANTED WITHOUT FURTHER NOTICE TO YOU. IF YOU OPPOSE THE MOTION AND HAVE NOT REACHED AN AGREEMENT, YOU MUST ATTEND THE HEARING. UNLESS THE PARTIES AGREE OTHERWISE, THE COURT MAY CONSIDER EVIDENCE AT THE HEARING AND MAY DECIDE THE MOTION AT THE HEARING.

REPRESENTED PARTIES SHOULD ACT THROUGH THEIR ATTORNEY.

TO THE HONORABLE UNITED STATES BANKRUPTCY JUDGE:

Comes now Bobby Joe McDanials Jr and Shronda Rhesha Thrower-McDanials, Debtors, and filed this Motion to Extend Automatic Stay and would respectfully show as follows:

1. Debtors filed previous bankruptcy case number 24-30971. The previous case was pending within one year of the filing date of this case. Debtors seek to extend the Section 362 stay in this case and show the Court that this case is filed in good faith.
2. In the previous case, the Chapter 13 Trustee filed a Motion to Dismiss on 04/12/2024. See Doc. No. 21. The Trustee's Motion to Dismiss alleged failure to make payments and file required documents as grounds for dismissal.
3. The Court granted the Trustee's Motion to Dismiss by order signed on 5/13/2024. See Doc. No. 38.

4. Debtors filed the instant bankruptcy proceeding on 1/6/2025.
5. Debtors became unable to make Chapter 13 plan payments in the previous case because Ms. McDanials was not given enough working hours at her full-time job while Mr. McDanials lost his employment. The Debtors were unable to sustain their living expenses in addition to the Ch. 13 plan payments.
6. Since the dismissal of the previous case, Ms. McDanials has obtained additional employment as an independent contractor working with several hospice facilities. She also receives a monthly contribution from her mother who lives in Debtors' home. Mr. McDanials is now working full time as a truck driver bringing in substantial income. Debtors' current income will allow Debtors to successfully complete this Chapter 13 plan.
7. Debtors have retained Keeling Law Firm to prepare the required schedules, a Statement of Financial Affairs, Form 22c, a Chapter 13 Plan, and any other documents necessary to comply with the requirements of 11 USC 521, all of which have been filed with the Court.
8. Debtors filed this bankruptcy proceeding in good faith so Debtors may protect their homestead, reorganize their debts, and receive a discharge.
9. The automatic stay should be extended as to all creditors on the basis that Debtors filed this case in good faith to complete the Chapter 13 plan. The change in Debtors' financial circumstances evidence Debtors' ability to make all plan payments as required.
10. The automatic stay should be extended as to the secured creditors listed on Schedule D. Debtors' homestead is necessary to an effective reorganization.

11. The automatic stay should be extended as to Debtors' priority and general unsecured creditors listed on schedules E and F. Were these creditors not stayed during the term of this bankruptcy proceeding, the collection efforts would impair Debtors' ability to successfully complete this Chapter 13 Plan.
12. To the extent that the stay was lifted in a previous case as to any real property still in Debtors' possession, Debtors request the automatic stay be imposed pursuant to 11. U.S.C. § 362(b)(20).

Premises considered, Debtors request that the Court grant this Motion to Extend Automatic Stay. A form of Order is submitted with this motion.

Respectfully submitted,
KEELING LAW FIRM

/s/Kenneth A. Keeling
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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Motion to Extend Automatic Stay has been served on all parties by electronic service or by United States First Class Mail on January 8, 2025, as follows:

UNITED STATES TRUSTEE

United States Trustee
515 Rusk, Ste. 3516
Houston, TX 77002
Via ECF

CHAPTER 13 TRUSTEE

1220 Augusta Drive
Suite 500
Houston, TX 77057
Via ECF

DEBTORS

Bobby Joe McDanials Jr and
Shronda Rhesha Thrower-McDanials
6111 Knollwood Trail
Spring, TX 77373

CREDITORS

Acima Digital LLC
5501 Headquarters Dr
Plano, TX 75024-5837

Amex
Correspondence/ Bankruptcy
Po Box 981540
El Paso, TX 79998-1540

Banfield Pet Hospital
11815 Ne Glenn Widing Dr
Portland, OR 97220-9057

Bank of America
Attn: Bankruptcy
PO Box 982234
El Paso, TX 79998

Capital One
Bankruptcy
Po Box 30285
Salt Lake Cty, UT 84130-0285

Cypresswood Green Property
Owners, Inc.
c/o SPECTRUM
ASSOCIATION M
17319 San Pedro Ave Ste 318
San Antonio, TX 78232-1443

Deferit Inc
Attn: Bankruptcy/Legal
610 Fifth Ave. POB 5193
New York, NY 10185

Global Lending Services LLC
1200 Brookfield Blvd Ste. 300
Greenville, SC 29607

Harris County
Ann Harris Bennett - Tax
Assessor
P. O. Box 3547
Houston, TX 77253-3547

IC System, Inc
Attn: Bankruptcy

Lvnv Funding/Resurgent
Capital

Midland Funding, LLC
Attn: Bankruptcy

PO Box 64378
Saint Paul, MN 55164

Attn: Bankruptcy
PO Box 10497
Greenville, SC 29603

Po Box 939069
San Diego, CA 92193-9069

Mission Lane LLC
Attn: Bankruptcy
P.O. Box 105286
Atlanta, GA 30348

National Credit Adjusters, LLC Navy Federal Credit Union
Attn: Bankruptcy Department Po Box 3000
P.O. Box 3023 Merrifield, VA 22119-3000
Hutchinson, KS 67504

Newrez
Attn: Bankruptcy
P.O. Box 10826
Greenville, SC 29603-0826

OneMain Financial
Attn: Bankruptcy
PO Box 1010
Evansville, IN 47731

Spring ISD
1235 North Loop W Ste 600
Houston, TX 77008-1772

Tattor Road Mud
Po Box 73109
Houston, TX 77273-3109

/s/Kenneth A. Keeling
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